

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

NOTICE OF PROPOSED RULEMAKING

The Alcoholic Beverage Control Board ("Board"), pursuant to the authority set forth in D.C. Official Code § 25-712(b) (2001) hereby gives notice of the adoption of proposed rules that create a new section 719 of Title 23 of the DCMR to require the holder of a retailer's license to post in a conspicuous place, a warning sign that covers: (1) the dangers of drinking and driving, (2) the dangers of alcohol consumption during pregnancy, and (3) the current legal drinking age and a patron's obligation to produce a valid identification document displaying proof of legal drinking age.

The Board gives notice of its intent to adopt these proposed rules in not less than thirty (30) days from the date of publication of this notice in the D.C. Register. Pursuant to D.C. Official Code § 25-211(b)(2) (2008 Supp.), these proposed rules are also being transmitted to the Council of the District of Columbia, and the final rules may not become effective until the expiration of the ninety (90) day period of Council review or upon approval by Council resolution, whichever occurs first.

Title 23 DCMR, Chapter 7 (General Operating Requirements), is amended by adding a new section 719 to read as follows:

719 POSTING OF WARNING SIGN

719.1 The holder of a retailer's license shall post in a conspicuous place, a warning sign which covers: (1) the dangers of drinking and driving, (2) the dangers of alcohol consumption during pregnancy, and (3) the current legal drinking age and a patron's obligation to produce a valid identification document displaying proof of legal drinking age. The warning sign shall indicate that Driving While Intoxicated or Under the Influence is illegal in the District of Columbia."

719.2 The Board shall prepare the signs and make them available at no charge to licensees.

719.3 Each day of noncompliance shall constitute a secondary tier violation.

Copies of the proposed rulemaking can be obtained by contacting Martha Jenkins, General Counsel, Alcoholic Beverage Regulation Administration, 941 North Capitol Street, N.E., 7th Floor, Washington, D.C. 20002. All persons desiring to comment on the proposed rulemaking must submit their written comments, not later than thirty (30) days after the date of publication of this notice in the D.C. Register, to the above address.

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

NOTICE OF PROPOSED RULEMAKING

The Alcoholic Beverage Control Board (“Board”), pursuant to the authority set forth in D.C. Official Code § 25-211(b) (2008 Supp.) and § 25-830(e)(2001) hereby gives notice of the adoption of proposed rules that create a new section 807 of Title 23 of the DCMR to clarify what constitutes an “egregious” first-time sale to minor violation.

The Board gives notice of its intent to adopt these proposed rules in not less than thirty (30) days from the date of publication of this notice in the D.C. Register. Pursuant to D.C. Official Code § 25-211(b)(2008 Supp.), these proposed rules are also being transmitted to the Council of the District of Columbia, and the final rules may not become effective until the expiration of the ninety (90) day period of Council review or upon approval by Council resolution, whichever occurs first.

Title 23 DCMR, Chapter 8 (Enforcement, Infractions, and Penalties), is amended by adding a new section 807 to read as follows:

807 SALE TO MINOR VIOLATIONS

807.1 The Board may give warnings for first-time sale to minor offenses, excluding “egregious” sale to minor violations. Egregious shall be defined as “a sale to minor violation where the licensee: (1) sold or served an alcoholic beverage to a minor who was unable to produce a valid identification after a request from the licensee to do so, or (2) intentionally sold an alcoholic beverage to a minor.”

Copies of the proposed rulemaking can be obtained by contacting Martha Jenkins, General Counsel, Alcoholic Beverage Regulation Administration, 941 North Capitol Street, N.E., 7th Floor, Washington, D.C. 20002. All persons desiring to comment on the proposed rulemaking must submit their written comments, not later than thirty (30) days after the date of publication of this notice in the D.C. Register, to the above address.